

FACT SHEET

On the Report Concerning Passenger Name Record Information Derived from Flights Between the United States and the European Union

On September 20 and 21, 2005, delegations from the U.S. Department of Homeland Security (DHS) and the European Commission performed the first Joint Review of the Undertakings of the Department of Homeland Security Bureau of Customs and Border Protection (CBP) concerning Passenger Name Record information (PNR) derived from flights between the US and the European Union (EU). Prior to the Joint Review, the DHS Privacy Office conducted an internal review of CBP policies, procedures and technical implementation related to the data covered by the Undertakings. This fact sheet summarizes key points from the Privacy Office report of the internal review.

1. CBP achieved full compliance with the representations in the Undertakings

As of the date of the Joint Review, the Privacy Office finds that CBP is in full compliance with representations made in the Undertakings. CBP has invested substantial time, capital, and expertise to bring its operations and procedures into compliance with the Undertakings. This is a recognizable achievement, particularly because it involves implementation of state-of-the-art technology solutions for use by officers of CBP nation-wide.

2. In cases where implementation took longer than anticipated, CBP has performed remediation at the request of the Privacy Office

CBP undertook responsible measures to address and correct deficiencies that were identified by the Privacy Office prior to the full technical implementation of CBP's IT solutions that comply with the Undertakings.

3. CBP has put in place an extensive privacy program that includes employee training, procedural and technical controls

CBP has an excellent privacy training program required for all employees with access to PNR data. CBP has also implemented best practices and state-of-the-art technical controls on access, use and disclosures of PNR data to ensure that data is properly filtered and protected from the moment it enters CBP systems.

4. The Privacy Office has had no reports of any deliberate misuse of PNR information

CBP has instituted appropriate technical and procedural controls to regularly monitor access, use and disclosure of PNR data by officers of CBP.

5. Several areas will continue to be monitored by the Privacy Office to ensure future compliance

CBP's data retention schedule has been submitted to the National Archives and Records Administration (NARA) for approval. The Privacy Office will monitor data retention, archiving and disposal for compliance with the Undertakings and the data retention schedule.